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20 Queen Street West, Suite 3202, Box 102, Toronto, Ontario Canada M5H 3R3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this document and the documents indicated as enclosed herewith are being sent by facsimile transmission to the United States Patent and Trademark Office on the date set forth below.

January 11, 2002

Date

  
\_\_\_\_\_  
Mark B. Eisen  
Registration No. 33088

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: LUSCOMBE, John Stanbury  
For: WATER SANITIZING SYSTEM  
Serial No.: 09/646,733  
Filing Date: March 19, 1999  
Our Reference: 645-10/MBE

**Commissioner of Patents and Trademarks  
Washington, D.C. 20231**

Dear Sir:

This is further to the Notice of Abandonment dated December 10, 2001 (copy enclosed) advising that this application is held to be abandoned pursuant to 37 CFR 1.495(b)(2) due to failure to provide the full U.S. Basic National Fee by 30 months.

Applicant submits that the Notice to File Missing Parts of Application dated September 13, 2001 (copy enclosed) indicated that the U.S. Basic National fee was paid. Applicant therefore filed on November 13, 2001, in response to the Notice to File Missing Parts, the outstanding signed Declaration/Power of Attorney and payment of the late surcharge fee.

In recent discussions with the Patent Office it has been determined that the U.S. Basic National Fee is outstanding. We therefore attach our Petition for a two-month extension of time under 37

• Application No. 09/646,733

- 2 -

January 11, 2002

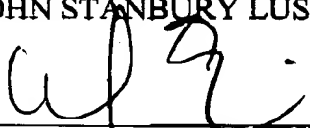
CFR 1.136(a) and hereby authorize the Commissioner to charge our Deposit Account No. 500663 in the amount of \$485.00 in payment of the U.S. Basic National Fee for a small entity. A signed duplicate of this letter is enclosed for this purpose.

The Commissioner is authorized to charge any deficiency or credit any overpayment in the above fees to our Deposit Account No. 500663. A duplicate of this paper is enclosed if required for this purpose.

We look forward to receiving confirmation that this application is now in good standing.

Executed at Toronto, Ontario, Canada, on January 11, 2002.

JOHN STANBURY LUSCOMBE

  
\_\_\_\_\_  
Mark B. Eisen  
Registration No. 33088

MBE:lf  
Encls. Petition for Extension of Time (in duplicate)  
copy of Notice of Abandonment  
copy of Notice to File Missing Parts

uspto020111



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/646,733	John Stanbury Luscombe	645-10/ CJL

INTERNATIONAL APPLICATION NO.
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PCT/CA99/00233

I.A. FILING DATE	PRIORITY DATE
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03/19/1999

CONFIRMATION NO. 6079

Cynthia J Ledgley  
Dimock Stratton Clarizio  
Suite 3202 Box 102  
20 Queen St W  
Toronto Ontario, M5H 3R3  
CANADA



371  
ABANDONMENT/TERMINATION  
LETTER



\*OC000000007137144\*

Date Mailed: 12/10/2001

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as an Elected Office (37 CFR 1.495), has made the following determination:

- Applicant has failed to provide the full U.S. Basic National Fee by 30 months (37 CFR 1.495(b)(2)).

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

MAMIE PERSON

Telephone: (703) 305-3737

PART 3 - OFFICE COPY



**ENTERED SEP 21 2001**  
 UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED**

SEP 21 2001

DIMOCK STRATTON CLARIZIO

 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NO.

09/048733

FIRST NAMED APPLICANT

LUSCOMBE

ATTY. DOCKET NO.

645-10/ C.J.L.

INTERNATIONAL APPLICATION NO.

PCT/CA99/00233

I.A. FILING DATE

19 MAR 99

PRIORITY DATE

25 MAR 98

CYNTHIA J LEDGLEY  
 DIMOCK STRATTON CLARIZIO  
 SUITE 3202 BOX 102  
 20 QUEEN ST W  
 TORONTO ONTARIO, CAN M5H 3

DATE MAILED **13 SEP 2001**

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☒ a Designated Office (37 CFR 1.494) ☐ an Elected Office (37 CFR 1.495):
- |  |  |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.   | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.   | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s).  | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.  | <input type="checkbox"/> Other:  |
| <input checked="" type="checkbox"/> Priority Document.   |  |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |  |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |  |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- ☐ U.S. Basic National Fee. ☐ Copy of the international application.
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
4. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.
- ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**
- The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).
6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☒ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875☐ PCT/DO/EO/920

MAMIE PERSON

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3667

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\*\*\* RX REPORT \*\*\*  
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RECEPTION OK

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